

Subject: ADULT INVESTIGATIVE SERVICES BUREAU MANUAL: SPECIAL ENFORCEMENT OPERATIONS (SEO) CONDUCTED ENERGY WEAPON (CEW/TASER)	Section Number: SEO-1800
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1801 INTRODUCTION AND PURPOSE

A Conducted Energy Weapon (CEW/Taser) is a handheld battery powered device which delivers a short, low-energy electrical pulse. A CEW transmits electrical pulses along the wires and into the body which are designed to affect the sensory and motor functions of the peripheral nervous system and cause involuntary muscle contractions. The device is a less than lethal use of force option to facilitate a safe and effective response from a subject in situations which jeopardize the life and safety of deputies, supervised persons, and the public.

This policy establishes the issuance, training, storage, and situational use of CEWs for authorized deputies.

1802 AUTHORIZATION AND ISSUANCE OF CONDUCTED ENERGY WEAPON (CEW/TASER)

Deputies authorized by the Chief Probation Officer to carry a CEW shall successfully complete a department approved CEW/Taser training prior to issuance. Deputies trained and authorized to carry will be issued a department issued CEW and are responsible to ensure the CEW is properly maintained and in good working order (Refer to ##### Maintenance and Inspection). Deputies shall carry the device in an approved manner.

Note: Only trained deputies who have current certification are authorized to carry and discharge¹ a CEW.

CEWs are prohibited in juvenile halls and camp and shall be stored prior to entering any juvenile facility.

1803 TRAINING QUALIFICATIONS

Deputies who are authorized to carry a CEW, shall complete a department-approved, Board of State and Community Corrections (BSCC) certified training prior to issuance. Annual refresher training, recurring simulator training and quarterly live practice demonstrations are also required.

Supervisors who supervise staff who are issued a CEW are also required to take all required CEW training courses and remain current with any yearly or updated mandatory departmental CEW training.

Note: Failure to re-certify annually and/or complete required training will result in loss of taser accreditation.

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1804 CEW SITUATIONAL USAGE

Deputies shall use de-escalation techniques and reasonable force² to affect compliance in accordance with SEO-Use of Force Policy (SEO-1000). After assessment of a situation and the environment, the deployment³ of a CEW shall be used only to facilitate a safe and effective response to situations which jeopardize the life and safety of deputies/personnel, supervised persons, and/or the public, based on the totality of circumstances. A CEW shall only be used when a deputy can safely approach a subject within the operational range of the device.

¹Discharge: To fire a CEW or touch a subject with a CEW causing energy to transmit across the circuit

²Reasonable Force – The amount of force that an objective, trained, and competent peace officer, faced with similar facts and circumstances, would consider necessary and reasonable to subdue an attacker, overcome resistance, effect custody, or gain compliance with a lawful order

³Deployment: When the CEW cartridge is discharged for the purpose to facilitate an effective response from a subject

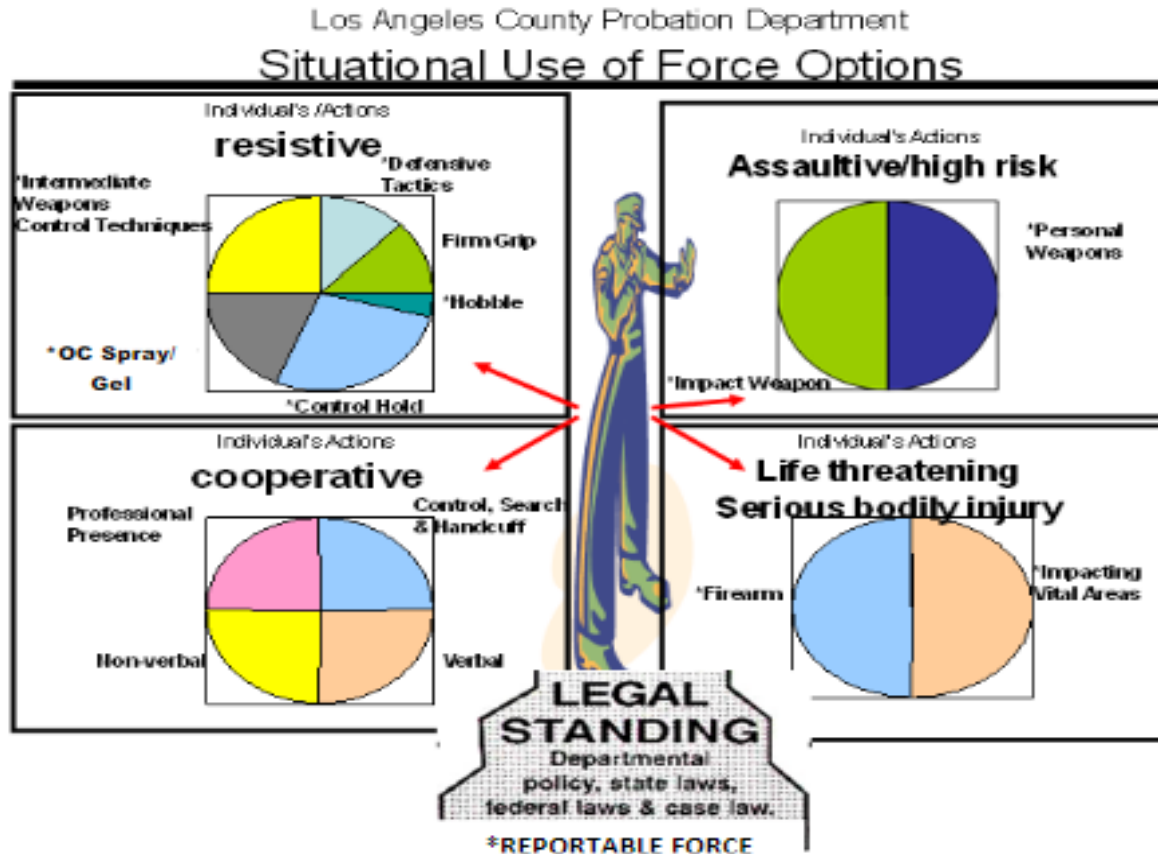
Note: After CEW is drawn, deputies shall continue to assess the environment and the situation; the CEW is to be deactivated and re-holstered when reason for drawing the CEW ceases to exist.

Deputies shall provide a verbal CEW warning to alert the subject a CEW will be deployed prior to discharge (i.e., "Taser, Taser, Taser,"), unless doing so would place the deputy and others at risk. Should the initial deployment of a CEW not be effective in gaining control of a subject, deputy shall use judgement and make ongoing threat assessments for continued reasonable force with consideration of situational safety. Deputies shall consider the following if additional application of CEW is warranted:

- Whether the probes⁴ or darts are making proper contact
- Whether the application of the CEW is interfering with the ability of the individual to comply
- Whether verbal commands, other options or tactics may be more effective

Note: When deputies attend an incident and more than one deputy is armed with a CEW, tactical communication must be used to ensure no more than one CEW is discharged on a subject at a time.

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⁴Probes: Thin metal barbed dart discharged from a CEW

Except in emergent circumstances, CEW shall not be applied to the following or used in any other situation where there is a reasonably foreseeable likelihood of severe injury or death:

- Handcuffed persons
- Persons detained in a vehicle
- Persons detained in any booking or holding cell
- Persons in control of a motor vehicle
- Persons in danger of falling or becoming entangled in machinery or heavy equipment which may result in death or serious bodily injury
- Persons near flammable or combustible fumes
- Persons near any body of water that may present a drowning risk
- Persons known to have a pacemaker, known to be pregnant or obvious young child/toddler/infant

1805 CEW POST-DEPLOYMENT MEDICAL REQUIREMENTS

After CEW deployment, deputy shall assess the environment and consider the safety of their person, the subject, others (any person incapacitated by the CEW), and the public. As soon as possible, medical personnel shall be called to render medical aid for subject (and any person incapacitated by the CEW). Upon completion of medical examination, factoring in the safety of

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the situation and subject is effectively under control, probes that punctured the skin of the subject shall only be removed by a medical professional.

1806 CEW USE OF FORCE REPORTING

Deputies who deploy a CEW and any staff or deputy who assists with or witness a CEW use of force option are required to ensure immediate verbal notification to a Supervising Deputy Probation Officer (SDPO) and their immediate supervisor or higher-ranking staff (depending on the ranking of the deputy/staff involved in the use of force) as soon as safely possible. In addition, deputies who deploy the device and any deputy or staff who assist/witness the CEW deployment are required to submit a Use of Force Report or Special Incident Report (SIR) (SEO - 1008) containing clear and concise details of the events leading up to, during and after the deployment, prior to the end of the same working shift. In extenuating circumstances or with SDPO or management approval, deputies and staff may prepare a report no later than 24-hours after the incident.

Should the discharge of a CEW by a Probation Deputy result in the death of another person, the deputy shall be relieved of duty, without loss of pay or benefit, and must undergo a psychological evaluation and clearance before being returned to their previous assignment.

Prohibited Reporting Conduct

Information contained in an SIR, PIR and SUP-PIR constitute lawful and truthful statements made by Sworn Peace Officers to objectively portray the facts of the incident in the most honest and transparent manner possible. Officers who are not honest in their reporting shall be subjected to the performance management process which may result in discharge, and/or criminal prosecution and/or civil sanctions. (Refer to *Employee Honesty Policy*).

Examples of prohibited conduct in reporting include:

- **Purposeful material omissions:** Officers intentionally leaving out details in an effort to disguise or diminish the actions of themselves or others.
- **Code of Silence:** Also known as blue wall of silence, the blue code of silence and blue shield of silence, are terms used to denote the informal rule that purportedly exists among law enforcement/corrections personnel, not to report on a colleague's errors, misconducts, or crimes, including excessive use of force. Such a practice is strictly prohibited, and any personnel determined to have participated in said practice shall be subject to disciplinary action according to departmental guidelines, which may include up to termination of employment.
- **Collusion:** Officers shall not collaborate (ensuring accounts of the incident contain same/similar details) with each other during the preparation of details in reports.

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- **Coaching:** Officers instructing co-workers or subordinates to report details and facts in their reports that they did not actually experience or writing reports on behalf of another Officer.

All staff who are present at the scene who do not witness the use of force shall also submit an SIR indicating their location at the time of use of force and any relevant details related to the incident. Note: Accidental discharges of a CEW shall be reported in the same manner.

1807 SAFETY, STORAGE AND BATTERY CHARGING

Deputies authorized to carry a CEW are issued a locked storage to secure their CEW. Deputies are responsible to lock and secure the CEW in the department-issued locked storage when not on-duty.

Data related to the deployment of the CEW is electronically tracked in the evidence.com system and the data will be downloaded into the evidence.com system during the charging of the battery. The CEW battery shall be charged every 15 days and within 24-hours of any CEW discharge. Charging is done by placing the battery on the charger overnight when assigned to a work location or by swapping out the battery with a charged spare battery for those who work in a countywide position.

1808 AGENCY REVIEW OF CEW DEPLOYMENTS, INCIDENT TRACKING AND POST INCIDENT DEBRIEFING

After the incident, the SDPO and team will conduct a debriefing regarding the incident that will include a discussion of the results of the search, any contacts made with residents, tactics, and details of the event. All incidents of CEW deployments are to be tracked in a CEW Log and reviewed by SEO Management within 30 days for compliance with Department policy. After the review is complete, the Managers and Supervising Deputy Probation Officer (SDPO) will conduct a debriefing with the deputy and team to discuss the CEW Usage incident.